

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KEVIN CARADINE,

No. C 13-03619 YGR (PR)

Petitioner,

**ORDER OF DISMISSAL WITHOUT
PREJUDICE**

vs.

FRED FOULK, Acting Warden,

Respondent.

On August 5, 2013, Petitioner, a state prisoner, filed the present petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. He also filed an *in forma pauperis* application and his prisoner trust account statement; however, he did not file a copy of his Certificate of Funds.

On the same date, the Clerk of the Court sent a notification to Petitioner informing him that his action could not go forward until he either paid the fee or submitted a copy of his Certificate of Funds within twenty-eight days. Petitioner was also informed that the failure to pay the filing fee or file the requisite document within the twenty-eight-day deadline shall result in dismissal of this action.

More than twenty-eight days have passed, and Petitioner has not paid the filing fee or filed a copy of his Certificate of Funds.

IT IS HEREBY ORDERED THAT this action is DISMISSED WITHOUT PREJUDICE. Petitioner's *in forma pauperis* application is DENIED as incomplete. The Clerk shall enter judgment, terminate all pending motions, and close the file.

This Order terminates Docket no. 2.

IT IS SO ORDERED.

DATED: September 24, 2013


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE